

BOE Prospectus

Taxes, Fees, Programs, and Services

2009—2010

Publication 306A + December 2011

Introduction

Established in 1879 by a constitutional amendment, the Board of Equalization (BOE), the nation's only elected tax commission, is made up of five members. Four representatives are elected for four-year terms from one of California's four geographical equalization districts. The fifth member is the State Controller, an elected official serving in a statewide capacity, who is elected for a four-year term.



Betty T. Yee
First District
San Francisco



Sen. George Runner (Ret.)
Second District
Lancaster



Michelle Steel
Third District
Rolling Hills Estates



Jerome E. Horton
Fourth District
Los Angeles

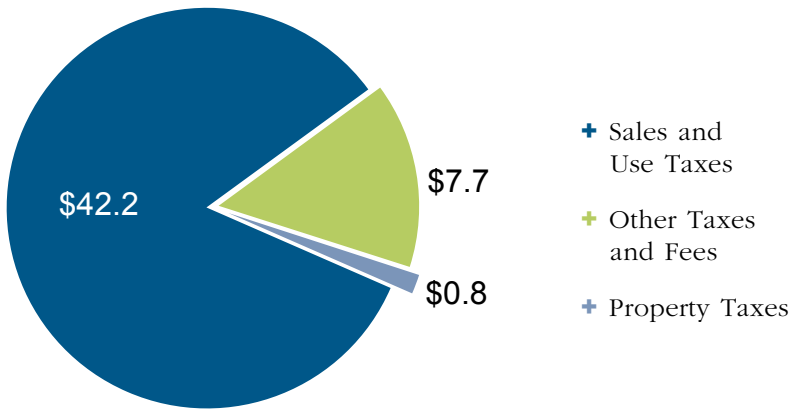


John Chiang
State Controller

Highlights

In fiscal year (FY) 2009-10, BOE-administered tax and fee programs produced \$50.7 billion to provide essential services for the people of California. These programs provided approximately 35 percent of the annual revenue for state government and \$8.6 billion in essential funding for counties, cities, and special districts.

2009-2010 BOE Revenues Billions of dollars



The following pages provide a brief history of BOE-administered tax and fee programs and the revenues they collected during FY 2009-10.

History

Created by a constitutional amendment in 1879, the BOE was initially responsible for ensuring that county property tax assessment practices were equal and uniform throughout California. Subsequently, BOE's responsibilities were expanded to include the administration of 34 separate tax and fee programs, 32 of which are revenue generating. Currently, these programs are concentrated in five general areas:

- Property Taxes,
- Sales and Use Taxes,
- Excise Taxes,
- Fuel Taxes, and
- Environmental Fees.

BOE-administered revenues support hundreds of state and local government programs and services including schools and colleges, hospitals and health care services, criminal justice, correctional and social welfare programs, law enforcement, consumer services, natural resources management, and transportation and housing programs.

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Property Taxes

Private Railroad Car Tax

Year Started	1938
What is Taxed?	Private railcars operated within California
Who Pays?	Railcar owners
Number of Registrants	225 as of June 30, 2010
Tax Rate	1.102% of assessed value
09-10 Revenues	\$5.8 million
Revenue Change from 08-09	Down 3.8%
Fund Allocation	General Fund

Timber Yield Tax

Year Started	1977
What is Taxed?	Timber harvested for forest products
Who Pays?	Timber owners
Number of Registrants	1,573 as of June 30, 2010
Tax Rate	2.9% of immediate harvest value
09-10 Revenues	\$3.0 million
Revenue Change from 08-09	Down 56.8%
Fund Allocation	Distributed to counties where timber was harvested

Sales and Use Taxes

Sales and Use Tax

Year Started	Sales Tax–1933 Use Tax–1935
What is Taxed?	Sales of tangible personal property; use or storage of property when sales tax not applicable
Who Pays?	Retailers of tangible personal property; purchasers, under certain circumstances
Number of Registrants	1,046,253 representing 1,245,430 business locations as of June 30, 2010. The total number also includes 224,244 use tax registrants

Effective April 1, 2009, the statewide sales and use tax rate was 8.25%. This rate is comprised of a state portion that totals 7.25% and a local tax portion of 1.00%. As detailed below, the state portion finances a number of state level funds. Details on the local tax portion are provided on the next page.

Tax Rate	Fund Allocation	09-10 Revenues	Revenue Change from 08-09
7.25%	6% General Fund effective April 2009	\$30 billion	Up 8.3%
	0.5% Local Revenue Fund		
	0.5% Local Public Safety Fund	\$2.3 billion	Down 3.8%
	0.25% Fiscal Recovery Fund	\$1.2 billion	Down 6.2%

Please note: The following changes to the Sales and Use Tax were effective July 1, 2011:

- The state portion of the tax was reduced by 1% and the statewide rate fell to 7.25%.
- Assembly Bill (AB) 118 (Chapter 40, Statutes of 2011) implemented the 2011 Public Safety Realignment, transferring state responsibilities for public safety programs to counties. The bill creates the account structure and allocation for funding, and dedicates 1.0625% of existing state General Fund revenues to local public safety costs under Local Revenue Fund 2011.

Bradley-Burns Uniform Local Sales and Use Tax

Year Started	1956
What is Taxed?	Sales of tangible personal property; use or storage of property when sales tax not applicable
Who Pays?	Retailers of tangible personal property; purchasers, under certain circumstances
Number of Registrants	1,046,253 representing 1,245,430 business locations as of June 30, 2010. The total number also includes 224,244 use tax registrants
Tax Rate	1.00% (local portion of uniform statewide rate that is 8.25%) See note on previous page
09-10 Revenues	\$4.7 billion
Revenue Change from 08-09	Down 6%
Fund Allocation	0.75% county and incorporated city general funds; 0.25% county transportation funds

District Transactions and Use Tax

Year Started	1970
What is Taxed?	Sales of tangible personal property; use or storage of property when sales tax is not applicable; applies to transactions within special tax districts and certain shipments into them
Who Pays?	Retailers of tangible personal property; purchasers, under certain circumstances
Number of Registrants	N/A
Tax Rate	0.1% to 1% per tax
09-10 Revenues	\$4.0 billion
Revenue Change from 08-09	Up 11.3%
Fund Allocation	Special tax districts for transportation, hospitals, schools, libraries, open space, and others

Special Taxes and Fees

Activity Fee

Year Started	1989
What is Taxed?	Applications and modification requests for hazardous waste permits
Who Pays?	Hazardous waste activity applicants
Number of Registrants	N/A
Tax Rate	Varies according to activity requested
09-10 Revenues	\$240,000
Revenue Change from 08-09	Down 5.6%
Fund Allocation	Hazardous Waste Control Account for regulation of hazardous waste management

Aircraft Jet Fuel Tax

Year Started	1969
What is Taxed?	Sales of jet fuel to jet fuel users
Who Pays?	Jet fuel dealers
Number of Registrants	238 as of June 30, 2010
Tax Rate	2¢ per gallon
09-10 Revenues	\$2.3 million
Revenue Change from 08-09	Down 9.7%
Fund Allocation	State Transportation Fund, Aeronautics Account for airport programs

Alcoholic Beverage Tax

Year Started	1933
What is Taxed?	Sale of alcoholic beverages
Who Pays?	Persons manufacturing, selling, or importing alcoholic beverages
Number of Registrants	6,461 as of June 30, 2010
Tax Rate (per gallon)	Distilled spirits 100 proof or lower—\$3.30 Over 100 proof—\$6.60 Beer and wine—\$0.20 Champagne and sparkling wine—\$0.30
09-10 Revenues	\$311.3 million
Revenue Change from 08-09	Down 3.9%
Fund Allocation	General Fund: education, public safety, health and social services programs, resource management, and other

California Tire Fee

Year Started	1991
What is Taxed?	New tires purchased from a retailer
Who Pays?	Person purchasing new tire; paid through the tire retailers, purchasers under certain circumstances
Number of Registrants	11,679 as of June 30, 2010
Tax Rate	\$1.75 per tire
09-10 Revenues	\$45.5 million
Revenue Change from 08-09	Down 2.8%
Fund Allocation	California Tire Recycling Management Fund for recycling, disposal, and reuse of used tires; Air Pollution Control Fund for mitigation of air pollution from used tires

Childhood Lead Poisoning Prevention Fee

Year Started	1993
What is Taxed?	Motor vehicle fuel; architectural coatings; lead releases into California air
Who Pays?	The petroleum industry, the architectural coatings industry, and facilities reporting releases of lead into the air
Number of Registrants	939 as of June 30, 2010
Tax Rate	Re-established each reporting year
09-10 Revenues	\$27.9 million
Revenue Change from 08-09	Up 48.5%
Fund Allocation	Childhood Lead Poisoning Prevention Fund to support lead poisoning prevention program for children

Cigarette and Tobacco Products Tax Law

Cigarettes

Year Started	1959
What is Taxed?	Cigarette distributions
Who Pays?	Cigarette manufacturers; cigarette distributors
Number of Registrants	25 and 103 respectively, as of June 30, 2010
Tax Rate	87¢ per pack
09-10 Revenues	\$842 million
Revenue Change from 08-09	Down 8.3%
Fund Allocation	2¢ Breast Cancer Fund 10¢ General Fund 25¢ Special Fund 1 50¢ Special Fund 2 Distribution of funds for Special Fund 1 and Special Fund 2 are shown under <i>Tobacco Products</i> on page 15

Tobacco Products

Year Started	1989
What is Taxed?	Distribution of tobacco products including cigars, chewing tobacco, pipe tobacco, and snuff
Who Pays?	Tobacco products distributors; tobacco products manufacturers and importers
Number of Registrants	565 and 79 respectively, as of June 30, 2010
Tax Rate	41.1% of the wholesale price
09-10 Revenues	\$84.6 million
Revenue Change from 08-09	Down 1.0%
Fund Allocation	<p>Special Fund 1:</p> <ul style="list-style-type: none">35% hospital services,20% health education,10% physician services,5% research,5% public resources,25% not allocated <p>Special Fund 2:</p> <ul style="list-style-type: none">Early childhood development,20% state,80% counties

Cigarette and Tobacco Products Licensing Program

Year Started	2004
What is Taxed?	The activity of selling cigarettes and tobacco products in California requires licensing of manufacturers, distributors, wholesalers, importers, and retailers of cigarette and tobacco products
Who Pays?	Cigarette manufacturers and importers, cigarette and tobacco products distributors, wholesalers, and retailers. Tobacco products manufacturers and importers
Number of Registrants	28, 582, 424, 36,926, and 71 respectively, as of June 30, 2010
Tax Rate	Sellers of cigarettes and tobacco products must be licensed. License fees depend on type(s) of product or activity
09-10 Revenues	\$1.8 million
Revenue Change from 08-09	Down 6.1%
Fund Allocation	Cigarette and Tobacco Products Compliance Fund for tobacco sales licensing, inspection, and related activities

Diesel Fuel Tax

Year Started	1995
What is Taxed?	Diesel fuel, upon removal from the terminal rack, importation into the state, or sale
Who Pays?	Suppliers of diesel fuel, other
Number of Registrants	258 and 31,840 other accounts respectively, as of June 30, 2010
Tax Rate	18¢ per gallon
09-10 Revenues	\$497.7 million
Revenue Change from 08-09	Down 4.9%
Fund Allocation	Highway Users Tax Account to construct and maintain public roads and mass transit systems

Disposal Fee

Year Started	1985
What is Taxed?	Hazardous waste disposed of by depositing on, or into, land
Who Pays?	Hazardous waste disposal facilities
Number of Registrants	9 as of June 30, 2010
Tax Rate	Rates per ton vary, depending on waste category, volume, and disposal method
09-10 Revenues	\$5.4 million
Revenue Change from 08-09	Down 17.2%
Fund Allocation	Hazardous Waste Control Account for regulation of hazardous waste management

Electronic Waste Recycling Fee

Year Started	2005
What is Taxed?	Certain new or refurbished televisions, computer monitors, laptop computers, and other devices (referred to as Covered Electronic Devices [CEDs])
Who Pays?	Retailers of new or refurbished CEDs, purchasers under certain circumstances
Number of Registrants	10,596 as of June 30, 2010
Tax Rate	Fee ranges from \$8.00 to \$25.00 imposed on the retail sale to consumers depending on the viewable size of the video display, measured diagonally
09-10 Revenues	\$175.8 million
Revenue Change from 08-09	Up 62.7%
Fund Allocation	Electronic Waste and Recovery Recycling Account to fund electronic waste recycling programs that, over time, will reduce the amount of hazardous waste in landfills

Emergency Telephone Users Surcharge

Year Started	1977
What is Taxed?	Charges for intrastate telephone communication and Voice over the Internet Protocol (VoIP) services that provide access to the 911 emergency system
Who Pays?	Telephone users, paid through telephone service suppliers
Number of Registrants	475 as of June 30, 2010
Tax Rate	0.5% of charges for services
09-10 Revenues	\$90.3 million
Revenue Change from 08-09	Down 16.2%
Fund Allocation	State Emergency Telephone Number Account for local entities' operations of the 911 emergency system

Energy Resources Surcharge

Year Started	1975
What is Taxed?	Use of electricity
Who Pays?	Electrical energy consumers and utilities
Number of Registrants	95 as of June 30, 2010
Tax Rate	\$0.00022 per kilowatt hour (twenty-two hundredths of a mill)
09-10 Revenues	\$53.3 million
Revenue Change from 08-09	Down 6.6%
Fund Allocation	Energy Resources Programs Account for ongoing energy programs and projects

Environmental Fee

Year Started	1989
What is Taxed?	Activity by certain types of organizations
Who Pays?	Businesses and organizations with at least 50 employees, in industry groups that use, generate, store, or conduct activities relating to hazardous materials
Number of Registrants	50,719 as of June 30, 2010
Tax Rate	\$280–\$13,358 per year, based on the number of workers employed in California more than 500 hours annually
09-10 Revenues	\$41.4 million
Revenue Change from 08-09	Down 2.9%
Fund Allocation	Toxic Substances Control Account for cleanup of contaminated sites

Facility Fee

Year Started	1986
What is Taxed?	Storage, treatment, or disposal of hazardous waste
Who Pays?	Hazardous waste facilities
Number of Registrants	198 as of June 30, 2010
Tax Rate	Varies according to size and type of facility
09-10 Revenues	\$5.3 million
Revenue Change from 08-09	Up 6.5%
Fund Allocation	Hazardous Waste Control Account for regulation of hazardous waste management

Generator Fee

Year Started	1986
What is Taxed?	Generation of hazardous waste at a specific site
Who Pays?	Generators of hazardous waste who have not paid a facility fee
Number of Registrants	6,268 as of June 30, 2010
Tax Rate	\$172–\$78,980 based on amount of waste generated
09-10 Revenues	\$24 million
Revenue Change from 08-09	Down 2.5%
Fund Allocation	Hazardous Waste Control Account for regulation of hazardous waste management

Insurance Tax

Year Started	1911
What is Taxed?	Gross premiums, ocean marine insurance underwriting profits, title insurance company income
Who Pays?	Insurance companies; surplus line brokers
Number of Registrants	2,019 and 533 respectively, as of June 30, 2010
Tax Rate	5.00% ocean marine, 2.35% all others
09-10 Revenues	\$1.9 billion
Revenue Change from 08-09	Down 2.7%
Fund Allocation	General Fund

Integrated Waste Management Fee

Year Started	1989
What is Taxed?	Disposed waste, by volume
Who Pays?	Solid waste landfill operators and wood waste facility operators
Number of Registrants	179 as of June 30, 2010
Tax Rate	\$1.40 per ton–solid waste; \$0.75 per ton–wood waste
09-10 Revenues	\$41.9 million
Revenue Change from 08-09	Down 13.7%
Fund Allocation	Integrated Waste Management Account for landfill-related environmental programs

Marine Invasive Species Fee*

Year Started	2000
What is Taxed?	Ships entering California with ballast water from outside a defined coastal zone
Who Pays?	Owners and operators of vessels arriving in California ports
Number of Registrants	3,835 as of June 30, 2010
Tax Rate	\$625 per qualifying vessel voyage \$850 per qualifying vessel voyage, effective November 2009
09-10 Revenues	\$4.3 million
Revenue Change from 08-09	Up 8.6%
Fund Allocation	Marine Invasive Species Control Fund to support a program that addresses the introduction of non-native aquatic species into the state's waters

*Known as the Ballast Water Management Fee through December 31, 2003. Administered under the Marine Invasive Species Fee Collection Law, effective January 1, 2004.

Motor Vehicle Fuel Tax

Year Started	2002*
What is Taxed?	Gasoline, upon removal from the terminal rack, importation into the state, or sale
Who Pays?	Gasoline suppliers, primarily
Number of Registrants	Suppliers: 132; and Other accounts: 149, as of June 30, 2010
Tax Rate	18¢ per gallon
09-10 Revenues	\$2.7 billion
Revenue Change from 08-09	Down 0.3%
Fund Allocation	State Transportation Fund to construct and maintain public roads and mass transit systems

*Originally the Motor Vehicle Fuel License Tax, implemented in 1923.

Please note: Effective July 1, 2010, the Motor Vehicle Tax increases to 35.3 cents per gallon.

Natural Gas Surcharge

Year Started	2001
What is Taxed?	Natural gas used by customers of a public utility gas corporation or interstate pipeline
Who Pays?	Gas utility companies; gas consumers
Number of Registrants	8 and 4 respectively, as of June 30, 2010
Tax Rate	Varies, depending on utility's service area and program costs
09-10 Revenues	\$532.3 million
Revenue Change from 08-09	Up 18.8%
Fund Allocation	Programs for low-income assistance, energy conservation, and related purposes

Occupational Lead Poisoning Prevention Fee

Year Started	1991
What is Taxed?	Industrial activity by employers in certain industrial classifications
Who Pays?	Employers with 10 or more employees in industries with documented evidence of potential occupational lead poisoning
Number of Registrants	12,570 as of June 30, 2010
Tax Rate	\$288–\$3,306 per year, based on the number of employees and industrial classification
09-10 Revenues	\$3.6 million
Revenue Change from 08-09	Up 7.1%
Fund Allocation	Occupational Lead Poisoning Prevention Account to support lead poisoning prevention program

Oil Spill Prevention and Administration Fee

Year Started	1991
What is Taxed?	Crude oil and petroleum products received at marine terminals in California or moved through pipelines in marine waters in California
Who Pays?	Marine pipeline operators, owners of crude oil and petroleum products received at marine terminals
Number of Registrants	45 as of June 30, 2010
Tax Rate	5¢ per barrel effective January 20, 2003
09-10 Revenues	\$25.3 million
Revenue Change from 08-09	Down 5.7%
Fund Allocation	Oil Spill Prevention and Administration Fund to support oil spill prevention programs and studies of spill effects, prevention, and response

Oil Spill Response Fee

Year Started	1991
What is Taxed?	Petroleum products received at marine terminals, moved through pipelines in marine waters, or received at refineries in California
Who Pays?	Owners of petroleum products received at marine terminals, marine pipeline operators, oil refineries
Number of Registrants	30 as of June 30, 2010
Tax Rate	25¢ per barrel
09-10 Revenues	No fees collected in 2009-2010; \$50 million Oil Spill Response Trust Fund is at maximum
Revenue Change from 08-09	N/A
Fund Allocation	Oil Spill Response Trust Fund pays for response to and cleanup of marine oil spills; related wildlife care; spill-related damages

Underground Storage Tank Maintenance Fee

Year Started	1989
What is Taxed?	Storage of petroleum products in underground tanks
Who Pays?	Owners of underground fuel storage tanks
Number of Registrants	8,094 as of June 30, 2010
Tax Rate	1.4¢ per gallon effective January 2006 2.0¢ per gallon effective January 2010
09-10 Revenues	\$289.2 million
Revenue Change from 08-09	Up 29%
Fund Allocation	Underground Storage Tank Cleanup Fund to ensure cleanup of leaking underground petroleum storage tanks

Water Rights Fee

Year Started	2004
What is Taxed?	Applications for, and annual renewals of, water rights permits and licenses
Who Pays?	Holders of, and applicants for, water rights permits and licenses
Number of Registrants	13,247 as of June 30, 2010
Tax Rate	Set each reporting period
09-10 Revenues	\$6.5 million
Revenue Change from 08-09	Down 21.2%
Fund Allocation	Water Rights Fund for operation of the State Water Resources Control Board's Division of Water Rights

Motor Carrier Office

International Fuel Tax Agreement (IFTA) and California Interstate User Diesel Fuel Tax

Year Started	1995
What is Taxed?	Diesel fuel used to operate qualified motor vehicles on California highways
Who Pays?	Motor carriers who use diesel fuel in interstate operations
Number of Registrants	24,999 as of June 30, 2010
Tax Rate	43.7¢ per gallon effective January 2009
09-10 Revenues	\$76.2 million (included with the revenue for diesel fuel)
Revenue Change from 08-09	Down 10.7%
Fund Allocation	Highway Users Tax Account to construct and maintain public roads and mass transit systems

Please note: IFTA is an agreement between states and Canadian Provinces to simplify the reporting of fuel use taxes by interstate motor carriers. The California Interstate User Diesel Fuel Tax applies to persons who operate diesel-powered vehicles and whose interstate travel is restricted to Mexico and California, or to persons not based in an IFTA jurisdiction. Tax rates for both programs are the same.

Use Fuel Tax

Year Started	1937
What is Taxed?	Vehicular use of liquid natural gas, compressed natural gas (CNG), and certain other fuels
Who Pays?	Owners and operators of vehicles powered by covered fuels, use fuel vendors
Number of Registrants	1,049 as of June 30, 2010
Tax Rate	6–18¢ per gallon of fuel (varies by type) 7¢ per 100 cubic feet of CNG, or annual fee based on vehicle weight
09-10 Revenues	Included with revenue for diesel fuel
Revenue Change from 08-09	Included with revenue for diesel fuel
Fund Allocation	Highway Users Tax Account to construct and maintain public roads and mass transit systems

Programs and Services

Appeals Programs

The BOE's appeals program covers both taxes administered by BOE and franchise and income taxes administered by the Franchise Tax Board (FTB). A taxpayer who disagrees with a BOE assessment can resolve the disagreement with BOE staff. If the issue cannot be resolved with staff, a taxpayer can request a hearing before the Board Members (Board). Taxpayers can present their cases either in person or by written submission.

Similarly, taxpayers may request that the Board review certain FTB determinations such as an FTB's denial of a claim for refund, disputed tax amount, or denials of Homeowners and Renters Assistance (HRA) claims. As with appeals of BOE assessments, taxpayers may present their cases either in person at a hearing before the Board or by written submission.

Table 1 provides statistics for cases orally presented to the Board. Table 2 provides statistics for all cases decided by the Board—those presented orally, as well as in writing.

Table 1

ORAL CASES HEARD BY THE BOARD

Year	Meeting Days*	Business Taxes**	Franchise and Income Taxes and HRA	Property Taxes	Taxpayer Bill of Rights Reimbursement Claims	Grand Totals
2010	29	106	67	4	0	177
2009	26	78	57	3	0	138
2008	29	130	72	7	0	209
2007	25	136	77	14	0	227
2006	22	92	75	26	0	193

*This excludes nonhearing days such as special closed session or an annual Board meeting with any county assessors.

**Business taxes include sales and use tax, fuel taxes, excise taxes, and environmental fees.

Table 2

CASES RESOLVED BY THE BOARD

Year	Business Taxes	Settlements (Rev. and Tax Code 7093.5)***	Franchise and Income Taxes and HRA	Property Taxes	Taxpayer Bill of Rights Reimbursement Claims	Totals
2010	804	81	443	32	0	1,360
2009	846	76	577	38	0	1,537
2008	1,061	43	372	51	0	1,527
2007	845	60	455	45	0	1,405
2006	873	61	507	59	0	1,500

***Does not include the small case settlements approved according to section 7093.5 (b)(3) for 74, 54, 56, 57, and 67 cases in calendar years 2006, 2007, 2008, 2009, and 2010, respectively.

Settlement Program

BOE’s statutory settlement authority provides a cost-effective method for the resolution of disputed tax and fee liabilities or refunds. Instead of pursuing the costly administrative appeals process, taxpayers and fee payers may propose a good-faith settlement offer. The proposal must include the factual and legal grounds supporting the offer. BOE uses this offer as a starting point in negotiating a final settlement amount that is based on a reasonable evaluation of the risks and costs of litigation and administrative proceedings. BOE does not settle all cases.

On average, the program has settled for approximately 70 percent of the original billed or claimed amounts during the 18+ years that it has been settling cases.

Table 3

FY 2009–2010 SETTLEMENT ACTIVITY			
	Sales and Use Tax	Special Taxes and Fees	Totals
Total Proposals Received	413	22	435
Total Cases Settled	124	27	151
Total Settlement Recovery	\$18.3 million	\$22.8 million	\$41.1 million

Free Taxpayer Services

The BOE is committed to helping all California businesses and individuals to properly comply with the state's complex and changing tax laws. The agency offers a full range of services tailored to the diverse needs of the state's businesses—from 24-hour electronic services to personal assistance with tax compliance questions.

WRITTEN TAX ADVICE

Persons who have specific or complex questions regarding how tax applies to business transactions may mail a written request to the BOE for clarification. Taxpayers should send these requests to the BOE district office that handles their account. A comprehensive response requires that requestors identify themselves or the persons for whom they are writing, include an account or permit number, and fully describe the facts and circumstances of the transaction about which they have questions.

BOE staff will provide a written response. If it is later found that BOE's written advice regarding a transaction was incorrect, the taxpayer may be relieved of certain taxes, penalties, and interest under specific circumstances.

INTERPRETER SERVICES

Throughout the state, BOE has staff who can provide services to taxpayers who need help in other languages. Assistance is available through BOE's Taxpayer Information Section, as well as BOE field offices.

BOE also provides interpreter services for Board hearings. Taxpayers who wish to have an interpreter can make arrangements with the Board Proceedings Division prior to a scheduled hearing by calling 916-322-2270.

FREQUENTLY ASKED QUESTIONS

The BOE has a comprehensive *Frequently Asked Questions (FAQs)* link on its website that covers a variety of topics such as eFiling, appeal procedures for sales and use tax, changes in property tax ownership, and seller's permits. From general information to specific tax areas, individuals may be able to answer questions with the click of a mouse.

TRANSLATED INFORMATION

The BOE website contains a wealth of translated information. There are pages specifically designed for those who need information in Spanish, Chinese, Korean, and Vietnamese. These pages contain

links to translated publications, forms, seminars, PowerPoint courses, and other helpful information. The BOE translates many of its most popular English publications into these four languages. In addition, the BOE has at least one publication in 23 different languages. All of these publications are easy to download from the BOE website. For the latest on translated information, visit the BOE website or call 800-400-7115.

TAXPAYER INFORMATION SECTION

Taxpayers can receive customized assistance from our Taxpayer Information Section. The BOE customer service representatives are available to assist taxpayers with general tax questions weekdays from 8:00 a.m. to 5:00 p.m., Pacific time, except state holidays.

Taxpayers can also take advantage of the automated features of BOE's Taxpayer Information Section's 24-hour telephone toll-free systems that includes a faxback service for selected forms and publications, recordings of sales tax rates, and verification of permit numbers.

TAXPAYERS' RIGHTS ADVOCATE

Taxpayers who are unable to resolve a problem through normal channels (for example, by speaking to a supervisor) or who would like to know more about their rights under the law, may contact the Taxpayers' Rights Advocate for help.

Taxpayers may write to:

Taxpayers' Rights Advocate MIC:70
State Board of Equalization
PO Box 942879
Sacramento, CA 94279-0070

Or call toll-free: 888-324-2798, or fax: 916-323-3319

TAX APPEALS ASSISTANCE PROGRAM

Taxpayers and others with appeals before the Board Members are able to participate in this program, which is overseen by the Taxpayers' Rights Advocate.

Qualified law students, who are supervised by BOE tax attorneys, advise individuals (appellants) with pending appeals before the Board, research and draft appeal briefs, and handle other matters on behalf of the appellant. Assistance is offered to qualifying appellants with state income tax appeals, consumer use tax appeals, and appeals of notices of Cigarette and Tobacco Products License Act violations for which a decision by the BOE has been requested.

TAXPAYER EDUCATIONAL CONSULTATION PROGRAM

The BOE offers individualized tax education and assistance to new taxpayers during their first year of business through the taxpayer Educational Consultation Program. Experienced BOE auditors perform the consultations. During consultations, the auditors discuss business operations and recordkeeping with the taxpayer and review a few sample transactions in the taxpayer records. The auditors also explain the applications of taxes that apply to taxpayer operations and potential problem areas that may affect the proper reporting of the taxes.

Taxpayers must meet certain requirements to participate in the program. To see if they qualify, taxpayers should contact the nearest BOE field office.

SPEAKERS BUREAU

As one of its outreach programs, the BOE provides speakers at programs for professional societies, industry and trade groups, governmental organizations, and local schools statewide in order to educate taxpayers about their rights and responsibilities. The BOE also provides speakers for seminars for business owners in other languages such as Chinese, Spanish, Thai, and Vietnamese.

Persons interested in securing a speaker for an event should contact the Outreach Services Division at 916-552-9092 or a local BOE field office.

EMERGENCY RELIEF INFORMATION

The BOE frequently offers emergency tax relief to businesses affected by Governor-declared emergencies including fires, floods, and earthquakes. For example, victims of Governor-declared emergencies may be allowed more time to file tax returns, receive relief from interest, receive property tax deferments or adjustments, obtain refunds of taxes paid on damaged cigarettes and alcoholic beverages, and receive assistance in reconstructing financial records. The BOE works closely with the media and the California Emergency Management Agency (CALEMA) to let the public know what types of relief are available. Taxpayers may also contact our Taxpayer Information Section and our BOE field offices for information.

MEXICAN MERCHANT RESALE VERIFICATION

To verify the validity of Mexican merchant identification cards or resale certificates, retailers should call our San Diego office at 619-525-4526, or contact a local BOE field office.

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State Board of Equalization



External Affairs Department

Executive Projects and Services Section